

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY BOURCIER,  
Substitute party for Michael Bourcier,  
Deceased,

Plaintiff,

Civil Action No. 07-12242

v.

HON. JOHN FEIKENS  
U.S. District Judge  
HON. R. STEVEN WHALEN  
U.S. Magistrate Judge

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER GRANTING MOTION FOR CHANGE OF VENUE**

This is a Social Security Disability appeal brought pursuant to 42 U.S.C. §405(g). Before the Court is Defendant Commissioner's Motion for Change of Venue [Docket #3].

42 U.S.C. §405(g) provides that any action brought under that section "shall be brought in the district court of the United States for the judicial district in which the plaintiff resides...." In his Complaint, Plaintiff Timothy Bourcier asserts that he resides at 7032 SW 83<sup>rd</sup> Place, Miami, Florida, which is in the Southern District of Florida. Thus, venue lies in that district. In addition, Defendant's counsel states in its Motion that "Plaintiff's counsel was contacted regarding the government's motion for change of venue and has no objection to the relief sought."

Accordingly, Defendant's Motion for Change of Venue [Docket #3] is GRANTED, and this action shall be transferred to the United States District Court for the Southern District of Florida.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: August 31, 2007

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on August 31, 2007.

S/Gina Wilson  
Judicial Assistant